



PUBLIC NOTICE

Federal Communications Commission
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DA 05-2676
October 7, 2005

COMMENTS INVITED ON APPLICATION OF CORECOMM MARYLAND, INC., CORECOMM NEW JERSEY, INC., CORECOMM PENNSYLVANIA, INC., CORECOMM RHODE ISLAND, INC., CORECOMM VIRGINIA, INC., AND CORECOMM NEWCO, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 05-285
Comp. Pol. File No. 725

Comments Due: October 21, 2005

Section 214 Application

Applicants: CoreComm Maryland, Inc., CoreComm New Jersey, Inc., CoreComm Pennsylvania, Inc., CoreComm Rhode Island, Inc., CoreComm Virginia, Inc., CoreComm Newco, Inc.

On September 9, 2005, CoreComm Maryland, Inc., CoreComm New Jersey, Inc., CoreComm Pennsylvania, Inc., CoreComm Rhode Island, Inc., CoreComm Virginia, Inc., and CoreComm Newco, Inc. (collectively CoreComm or Applicants), located at **2100 Renaissance Boulevard, King of Prussia, PA 19406**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services to customers located in the states of Florida, Georgia, Kentucky, Maryland, Minnesota, New Jersey, Pennsylvania, Rhode Island, Virginia, and Washington. By an amendment filed September 20, 2005, CoreComm updated its application.¹

CoreComm indicates that it has been in the process of obtaining approval to discontinue service to customers in various locations as part of its emergence from bankruptcy along with its parent company, ATX Communications, Inc. (ATX). CoreComm asserts, however, that it has recently identified certain customers that should have either been included in a prior discontinuance, or should have been migrated to an

¹ In its amendment CoreComm indicates that it does not have any customers in Georgia, Kentucky, Maryland, New Jersey, and Washington. CoreComm suggests that it consequently is no longer necessary for CoreComm Maryland, Inc. and CoreComm New Jersey, Inc. to be considered as parties to the proceeding. However, CoreComm states that the CoreComm entities intend to surrender any FCC and /or state authorizations and dissolve following the discontinuance of service to customers. Because all of these companies have held themselves out as offering service, it is appropriate to consider their request to permanently discontinue service under our rule.

affiliate of CoreComm, ATX Licensing, Inc., and were not. CoreComm indicates that it currently provides certain domestic telecommunications services to two customers in Florida, one customer in Minnesota, nine customers in Pennsylvania, one customer in Rhode Island, and one customer in Virginia. CoreComm states that it therefore is seeking authority to discontinue the provision of local, intrastate toll, interstate toll, and international telecommunications services² to these customers. CoreComm indicates that the anticipated date for the discontinuance of service is November 9, 2005, or as soon thereafter as the necessary state and federal regulatory authorizations may be obtained. CoreComm states that, on September 9, 2005, it provided notification of the proposed discontinuance to customers, in accordance with the requirements of section 63.71(a) of the Commission's rules. CoreComm asserts that it is a non-dominant carrier with respect to the services that it proposes to discontinue, and that the services are competitive in nature.

In accordance with section 63.71(c) of the Commission's rules, CoreComm's application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies CoreComm that the grant will not be automatically effective. In CoreComm's application and notice to its customers, CoreComm indicates that it anticipates discontinuing service on November 9, 2005. Accordingly, pursuant to section 63.71(c) and the terms of CoreComm's application, absent further Commission action, CoreComm may not terminate service until **November 9, 2005**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **October 21, 2005**. Such comments should refer to **WC Docket No. 05-285 and Comp. Pol. File No. 725**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the

² Discontinuance of international service is governed by 47 C.F.R. § 63.19.

Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicants. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

-FEDERAL COMMUNICATIONS COMMISSION-